

1 HEATHER E. WILLIAMS, Bar #122664
Federal Defender
2 ERIC V. KERSTEN, Bar #226429
Assistant Federal Defender
3 Designated Counsel for Service
2300 Tulare Street, Suite 330
4 Fresno, CA 93721-2226
Telephone: (559) 487-5561
5 Fax: (559) 487-5950

6 Attorneys for Defendant
MICHAEL MARCUM
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 MICHAEL MARCUM

15 Defendant.
16

Case No. 1:22-cr-00164 ADA-BAM

**STIPULATION TO VACATE STATUS
CONFERENCE AND SET FOR CHANGE
OF PLEA**

Date: October 11, 2022
Time: 9:00 a.m.
Judge: Hon. Ana De Alba

17 **STIPULATION**

18 The parties, United States of America, by and through its counsel of record, Assistant
19 United States Attorney Alexandre Dempsey, and Michael Marcum, by and through his counsel of
20 record, the Office of the Federal Defender, hereby stipulate as follows:

21 1. By previous order, this matter was set for status on October 12, 2022.

22 2. By this stipulation, defendant now moves to vacate the status hearing and set the matter
23 for change of plea before the Court as to this defendant on October 11, 2022. As time was already
24 excluded by previous order until October 12, 2022, there is no need for an additional exclusion of
25 time

26 3. The parties agree and stipulate, and request that the Court find the following:

27 a) As the defendant does not intend on going to trial, the parties request that the
28 status hearing date be vacated. Vacating the status hearing date will conserve judicial resources

for a case that has been resolved.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Respectfully submitted,
PHILIP A. TALBERT
United States Attorney

Dated: September 23, 2022

/s/ Alexandre Dempsey
ALEXANDRE DEMPSEY
Assistant United States Attorney

HEATHER E. WILLIAMS
Federal Defender

Dated: September 23, 2022

/s/ Eric V. Kersten
ERIC V. KERSTEN
Assistant Federal Defender
Attorney for Defendant
MICHAEL MARCUM


ORDER

IT IS SO FOUND AND ORDERED:

At the request of the parties, the October 12, 2022 status hearing in the above case is VACATED and parties shall appear on October 11, 2022 for a change of plea hearing at 8:30 am before the Honorable Ana de Alba.

IT IS SO ORDERED.

Dated: September 24, 2022


UNITED STATES DISTRICT JUDGE